

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 570, sec. 3, effective July 15, 1998. — Amended 1991 (1st Extra. Sess.) Ky. Acts ch. 12, sec. 40, effective February 26, 1991. — Amended 1990 Ky. Acts ch. 283, sec. 1, effective July 13, 1990. — Amended 1988 Ky. Acts ch. 44, sec. 4, effective July 15, 1988. — Amended 1986 Ky. Acts ch. 298, sec. 4, effective July 15, 1986. — Amended 1984 Ky. Acts ch. 111, sec. 191, effective July 13, 1984. — Amended 1982 Ky. Acts ch. 74, sec. 26, effective July 15, 1982; and ch. 279, sec. 14, effective July 15, 1982. — Created 1980 Ky. Acts ch. 263, sec. 3, effective July 15, 1980; and ch. 264, sec. 8, effective July 15, 1980.

Formerly codified as KRS 224.868.

Tires

224.50-850 Legislative findings.

The General Assembly finds that waste tires are a threat to human health, safety, and the environment when they are not properly managed. The General Assembly further finds that waste tires can be used in civil engineering applications, as tire-derived fuel, and may be recycled, but that markets for these uses have not been adequately developed. Therefore, a waste tire program should be established to manage waste tires in a way that protects human health, safety, and the environment, and which encourages the development of markets for waste tires.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 529, sec. 1, effective July 15, 1998.

224.50-852 Waste tire program — Administrative regulations.

- (1) A waste tire program is created to manage waste tires which for the purposes of KRS 224.50-850 to 224.50-880 shall include:
 - (a) Tires not used for their original, intended purpose due to wear or damage;
 - (b) Used tires stored for resale; and
 - (c) Processed waste tire material.
- (2) The cabinet may promulgate administrative regulations to implement the waste tire program.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 529, sec. 2, effective July 15, 1998.

224.50-854 Exemptions.

The waste tire program shall not apply to:

- (1) A person who accumulates waste tires for an agricultural purpose;
- (2) A person who stores waste tires for resale, if the storage of the waste tires complies with environmental performance standards established by the cabinet for waste sites or facilities and follows common business practices of storing new motor vehicle tires on racks and moving the waste tires indoors at the close of the business day;

- (3) A person who accumulated up to seven hundred and fifty (750) waste tires before January 16, 1991, and who meets the following conditions:
- (a) The waste tires are used as an integral part of a business, including safety barriers but excluding storage or disposal;
 - (b) The number of waste tires has not increased since January 16, 1991; and
 - (c) The person certifies to the cabinet within thirty (30) days of July 15, 1998, that actions have been taken to prevent fires and the spread of illness through disease vectors.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 529, sec. 3, effective July 15, 1998.

224.50-856 Disposal — Exceptions — Accumulation — Transportation.

- (1) No person shall engage in disposal of waste tires in Kentucky except by transfer to a permitted solid waste disposal facility and except as follows:
 - (a) If transferred to a contained landfill, the waste tires shall be processed to prevent the entrapment of air or water;
 - (b) If transferred to a residual landfill, the waste tires shall be rendered suitable for disposal in a landfill and the landfill shall accept only waste tires for disposal; or
 - (c) If transferred to an incinerator or to any facility for use as a fuel, the incinerator or other facility shall be permitted to allow the burning of waste tires and shall have received a local determination related to the waste tires in accordance with KRS 224.40-315 (1).
- (2) No person shall accumulate more than twenty-five (25) waste tires in Kentucky at a time for processing, by baling, chopping, recycling, shredding, or other means of changing their shape, size, or chemical content without meeting the requirements of the waste tire program. For processing which had been approved by the cabinet before July 15, 1998, the person who had received the approval shall register within forty-five (45) days of July 15, 1998.
- (3) No person shall transport more than fifty (50) waste tires in Kentucky at a time, either in one (1) vehicle or more than one (1) vehicle managed by or operated under contract with that person, without meeting the requirements of the waste tire program, unless transported in accordance with subsection (5) of this section.
- (4) No person shall accumulate more than one hundred (100) waste tires in Kentucky at a time without meeting the requirements of the waste tire program, unless exempted by KRS 224.50-854 or accumulated in accordance with subsection (5) or (6) of this section. For accumulations of more than one hundred (100) tires not accumulated in accordance with subsection (5) or (6) of this section and existing on July 15, 1998, the person who has accumulated the tires shall register within forty-five (45) days of July 15, 1998.
- (5) A person making retail sales of new motor vehicle tires in Kentucky may accumulate up to one thousand (1,000) waste tires at the place where retail sales are

made without registering as an accumulator as required by KRS 224.50-858, if the waste tires are stored in accordance with the requirements of KRS 224.50-860(3), (5), (6), (7), and (8), and stored on-site in a building, in an adjacent covered area, or closed container where public access is prohibited after business hours. The retailer may transport the waste tires it accumulates at the place where retail sales are made without registering as a transporter as required by KRS 224.50-858 if the waste tires will remain in the retailer's possession until they reach their destination.

- (6) An automotive recycling dealer in Kentucky who is licensed by the Transportation Cabinet pursuant to KRS 190.010 to 190.080 may accumulate up to one thousand (1,000) waste tires at the place where automotive recycling is done without registering as an accumulator as required by KRS 224.50-858 if the waste tires are stored in accordance with KRS 224.50-860(2) to (11) and stored on-site in a building, in an adjacent covered area, or closed container where public access is prohibited after business hours.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 529, sec. 4, effective July 15, 1998.

224.50-858 Registration -- Letter of approval.

- (1) Unless exempted by KRS 224.50-854 or as authorized by KRS 224.50-856(4) and (5), no person shall accumulate more than twenty-five (25) waste tires at a time for processing, transport more than fifty (50) waste tires at a time, or accumulate more than one hundred (100) waste tires at a time without first registering and receiving a letter of approval from the cabinet.
- (2) To register, the following shall be submitted:
 - (a) The person's name and address;
 - (b) The address where the waste tires are to be accumulated or transferred;
 - (c) A statement of the purpose for accumulating, transporting, or processing the waste tires;
 - (d) A statement of the maximum number of waste tires to be accumulated, transported, or processed, and their passenger tire equivalents, as calculated under KRS 224.50-862;
 - (e) The rate at which waste tires are to be accumulated, transported, or processed;
 - (f) A certification stating that the person has read and understood the requirements of the waste tire program and will comply with those requirements;
 - (g) Financial assurance to pay for closure and corrective action as required by KRS 224.50-864 and 224.50-866; and
 - (h) A disclosure statement required by KRS 224.40-330(2).
- (3) The cabinet shall approve the registration when the registration requirements have been met.

Effective: July 15, 1998

224.50-860 Requirements for person registered as an accumulator, transporter, or processor.

A person required to register as an accumulator, transporter, or processor of waste tires shall:

- (1) Manage the waste tires in accordance with the registration approved by the cabinet;
- (2) Manage the waste tires in accordance with environmental performance standards established by the cabinet for waste sites or facilities;
- (3) Store waste tires in a manner that allows fire fighting equipment access to the waste tires;
- (4) Establish fire breaks to prevent the spread of fire;
- (5) Prevent mosquito infestations and entrapment of water in the waste tires;
- (6) Store waste tires stored outdoors in closed containers, in adjacent covered areas, or in windrows no greater than twenty-five (25) feet wide, ten (10) feet high, and seventy-five (75) feet long, with at least fifty (50) feet of open, unoccupied ground between windrows;
- (7) Unless the waste tires are stored in buildings, in adjacent covered areas, or closed containers, store them no closer than:
 - (a) Thirty (30) feet from a utility easement, property line, or highway right-of-way;
 - (b) Two hundred fifty (250) feet from a residence; or
 - (c) Two hundred fifty (250) feet from a karst feature, surface water of the Commonwealth, or unplugged water well;
- (8) Store waste tires on a surface with a grade of five percent (5%) or less which is free of vegetation and other flammable materials;
- (9) Display a permanent sign legible at one hundred (100) feet which identifies the name, address, and emergency telephone number of the person with the registration, the hours of operation, and the cabinet's emergency telephone number;
- (10) Comply with the recordkeeping system established by KRS 224.50-874; and
- (11) Transfer waste tires only to a person who presents a letter from the cabinet approving a registration issued under KRS 224.50-858 or a copy of a solid waste disposal facility permit issued by the cabinet.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 529, sec. 6, effective July 15, 1998.

224.50-862 Financial assurance -- Calculation -- Forfeiture.

- (1) A person required to register as an accumulator, transporter, or processor of waste tires shall provide the cabinet with financial assurance to pay for closure and corrective action as required by KRS 224.50-864 and 224.50-866.

- (2) The amount of the financial assurance shall be based on the maximum quantity of waste tires, calculated as passenger tire equivalents, that are accumulated, processed, or transported. Passenger tire equivalents shall be determined by using the most appropriate following calculation:
 - (a) One (1) whole waste tire with an inside bead diameter less than nineteen (19) inches shall equal one (1) passenger tire equivalent;
 - (b) One (1) whole waste tire with an inside bead diameter equal to or greater than nineteen (19) inches shall equal five (5) passenger tire equivalents;
 - (c) Twenty (20) pounds of waste tires shall equal one (1) passenger tire equivalent;
 - (d) One (1) cubic yard of loose, whole waste tires shall equal ten (10) passenger tire equivalents;
 - (e) One (1) cubic yard of laced or stacked whole waste tires shall equal fifteen (15) passenger tire equivalents; or
 - (f) One (1) cubic yard of processed waste tire material shall equal fifty (50) passenger tire equivalents.
- (3) The amount of financial assurance to be provided shall be one dollar (\$1) per passenger tire equivalent, with a minimum amount of ten thousand dollars (\$10,000).
- (4) The cabinet may approve an alternative method of determining the number of passenger tire equivalents if the alternative method ensures that adequate funds are available to meet closure and corrective action requirements.
- (5) The financial assurance shall be issued in favor of the cabinet and may consist of one (1) or more of the following mechanisms: surety bonds, corporate guarantees, irrevocable letters of credit, insurance, or trust funds. The financial assurance shall be submitted to the cabinet on a form or in a format approved by the cabinet. In approving a financial assurance mechanism, the cabinet shall follow the administrative regulations promulgated by the U. S. Environmental Protection Agency under Subtitle D of the Solid Waste Disposal Act, 42 U.S.C. sec. 6901 et seq., for solid waste disposal facilities, unless the cabinet promulgates administrative regulations setting different standards.
- (6) The cabinet shall forfeit the financial assurance when necessary to pay for closure or corrective action. Any money remaining after completion of closure and corrective action shall be returned to the person who posted the financial assurance.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 529, sec. 7, effective July 15, 1998.

224.50-864 Closure -- Release of financial assurance.

- (1) A person required to register as an accumulator, transporter, or processor of waste tires shall conduct closure by:

- (a) Notifying its customers and the cabinet with a schedule of when waste tires will no longer be accepted and closure will begin;
 - (b) Removing all waste tires in accordance with the schedule;
 - (c) Conducting any corrective action required by KRS 224.50-866; and
 - (d) Certifying to the cabinet that all waste tires have been removed, that no additional waste tires will be accepted, and that any necessary corrective action has been completed.
- (2) The cabinet shall determine that closure has been completed before releasing the financial assurance.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 529, sec. 8, effective July 15, 1998.

224.50-866 Corrective action.

A person required to register as an accumulator, transporter, or processor of waste tires shall conduct corrective action as necessary to protect human health, safety, and the environment. For a release or a threatened release of a hazardous substance, a pollutant or contaminant, or a petroleum or petroleum product, corrective action shall be conducted in accordance with KRS 224.01-400 and KRS 224.01-405. The person registered shall certify to the cabinet that corrective action has been completed in accordance with this section. The cabinet shall determine that corrective action has been completed before releasing the financial assurance.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 529, sec. 9, effective July 15, 1998.

224.50-868 New tire fee -- Disposal of replaced tire -- Report to cabinet -- Retailer requirements.

- (1) Until July 31, 2002, a person purchasing a new motor vehicle tire in Kentucky shall pay to the retailer a one dollar (\$1) fee at the time of the purchase of that tire. A new tire is a tire that has never been placed on a motor vehicle wheel rim, but it is not a tire placed on a motor vehicle prior to its original retail sale or a recapped tire. The term "motor vehicle" as used in this section shall mean "motor vehicle" as defined in KRS 138.450. The fee shall not be subject to the Kentucky sales tax.
- (2) When a person purchases a new motor vehicle tire in Kentucky to replace another tire, the tire that is replaced becomes a waste tire subject to the waste tire program. The person purchasing the new motor vehicle tire shall either offer the retailer that waste tire or meet the following requirements:
 - (a) Dispose of the waste tire in accordance with KRS 224.50-856(1);
 - (b) Deliver the waste tire to a person registered in accordance with the waste tire program; or
 - (c) Reuse the waste tire for its original intended purpose or an agricultural purpose.

- (3) A retailer shall report to the Revenue Cabinet on or before the twentieth day of each month the number of new motor vehicle tires sold during the preceding month and the number of waste tires received from customers that month. The report shall be filed on forms and contain information as the Revenue Cabinet may require. The retailer shall remit with the report ninety-five percent (95%) of the fees collected for the preceding month and may retain a five percent (5%) handling fee.
- (4) A retailer shall:
 - (a) Accept from the purchaser of a new tire, if offered, for each new motor vehicle tire sold, a waste tire of similar size and type; and
 - (b) Post notice at the place where retail sales are made that state law requires the retailer to accept, if offered, a waste tire for each new motor vehicle tire sold and that a person purchasing a new motor vehicle tire to replace another tire shall comply with subsection (2) of this section. The notice shall also include the following wording: "State law requires a new tire buyer to pay one dollar (\$1) for each new tire purchased. The money is collected and used by the state to oversee the management of waste tires, including cleaning up abandoned waste tire piles and preventing illegal dumping of waste tires."
- (5) A retailer shall comply with the requirements of the recordkeeping system for waste tires established by KRS 224.50-874.
- (6) A retailer shall transfer waste tires only to a person who presents a letter from the cabinet approving the registration issued under KRS 224.50-858 or a copy of a solid waste disposal facility permit issued by the cabinet, unless the retailer is delivering the waste tires to a destination outside Kentucky and the waste tires will remain in the retailer's possession until they reach that destination.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 529, sec. 10, effective July 15, 1998.

224.50-870 Deposit of money in waste tire trust fund.

The Revenue Cabinet shall transfer monthly fees collected pursuant to KRS 224.50-868 to the State Treasury, for deposit into the waste tire trust fund established by KRS 224.50-880. All assessment and collection powers conveyed to the Revenue Cabinet for the assessment and collection of taxes shall apply to the assessment and collection of the fees. The Revenue Cabinet shall be reimbursed from the waste tire trust fund for its costs incurred in assessing and collecting the fees, with the reimbursement not to exceed fifty thousand dollars (\$50,000) per year.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 529, sec. 11, effective July 15, 1998.

224.50-872 Report to the General Assembly.

The cabinet shall report to the General Assembly no later than January 15, 2002, on the effectiveness of the waste tire program in developing markets for waste tires, the effectiveness of the fee established in KRS 224.50-868 in funding the cabinet's

implementation of the waste tire program, and whether the fee should be extended beyond July 31, 2002.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 529, sec. 12, effective July 15, 1998.

224.50-874 Recordkeeping system -- Receipt.

- (1) A recordkeeping system shall be implemented for a waste tire from the time it becomes a waste tire to the time it is disposed, recycled, or used as tire-derived fuel.
- (2) A retailer, an automotive recycling dealer, and a person required to register as an accumulator, transporter, or processor who transfers waste tires to another person shall obtain a receipt for the waste tires.
- (3) A person filling out a receipt shall provide the following information:
 - (a) That person's name, address, company and signature;
 - (b) The number of waste tires or their passenger tire equivalents accepted;
 - (c) The date the waste tires were transferred; and
 - (d) The name and address of the person transferring the waste tires.
- (4) A person who fills out a receipt shall keep a copy for three (3) years.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 529, sec. 13, effective July 15, 1998.

224.50-876 Contracts with persons relating to various aspects of disposal -- Memorandum of agreement -- Agreements with local governments.

- (1) The cabinet may enter into an agreement with a person to collect, transport, process, recycle, make tire-derived fuel, dispose of waste tires, or develop markets for waste tires. A person awarded a contract shall comply with the requirements of the waste tire program.
- (2) The cabinet may enter into a memorandum of agreement with a federal, state, or local agency to aid in implementing the waste tire program. The cabinet may reimburse the federal, state, or local agency for their expenses incurred to aid the implementation of the waste tire program if money is available in the waste tire trust fund established by KRS 224.50-880.
- (3) The cabinet may enter into an agreement with a local government for the removal of waste tires, including waste tires collected by the local government through a local community-sponsored program. If income is derived from the disposal of the waste tires collected through the local community-sponsored program, the income may be used to reimburse the local government for the cost of sponsoring the program.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 529, sec. 14, effective July 15, 1998.

224.50-878 Grant for project that manages tires -- Application -- Prioritization -- Revocation.

- (1) If money in the waste tire trust fund established by KRS 224.50-880 is not otherwise obligated, the cabinet may award a grant to a person for a project that will manage waste tires in accordance with the purposes of the waste tire program as appropriate to protect human health, safety, and the environment, or to develop markets for waste tires.
- (2) An applicant for a grant shall meet the following criteria:
 - (a) Have the legal authority to construct and operate the project;
 - (b) Have the ability to construct and operate the project in compliance with this chapter and the grant conditions; and
 - (c) The applicant and the persons who will be managing the project shall not have received a final judgment or conviction of a state or federal environmental statute or regulation in the five (5) years before submitting the application and shall not have any outstanding violations of state or federal environmental statutes or regulations.
- (3) The cabinet shall prioritize the applications based on the following factors:
 - (a) The project's consistency with the purposes of the waste tire program;
 - (b) The project's costs and forecasted benefits;
 - (c) The applicant's credit history; and
 - (d) The applicant's and key personnel's environmental compliance record.
- (4) A person awarded a grant shall:
 - (a) Construct and operate the project in compliance with this chapter and the grant conditions;
 - (b) Remain responsible for complying with this chapter and the grant conditions, even if the project is managed by someone else;
 - (c) Retain ownership of all real and personal property purchased with grant funds unless the cabinet approves their transfer;
 - (d) Submit to the cabinet monthly an itemized list of expenditures, with copies of invoices or similar documentation;
 - (e) Submit to the cabinet periodic progress reports; and
 - (f) Not change the project without the cabinet's approval.
- (5) The cabinet may revoke a grant and seek recovery of any grant funds dispersed if the person awarded the grant does not comply with this chapter or the grant conditions.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 529, sec. 15, effective July 15, 1998.

224.50-880 Waste tire trust fund.

- (1) A waste tire trust fund is established in the state treasury. The fund shall be used by the cabinet for the following purposes:
 - (a) Properly managing waste tires;
 - (b) Paying the cabinet's costs in implementing the waste tire program;
 - (c) Paying the Revenue Cabinet's costs of assessing and collecting the fee established by KRS 224.50-868;
 - (d) Entering into the agreements described in KRS 224.50-876; and
 - (e) Awarding the grants described in KRS 224.50-878.
- (2) All interest earned on money in the fund shall be credited to the fund.
- (3) Money unexpended at the end of a fiscal year shall not lapse to the general fund.
- (4) Any money remaining in the waste tire trust fund established by KRS 224.50-820 shall be transferred to the fund established by this section.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 529, sec. 16, effective July 15, 1998.

**Subchapter 60
Underground Storage Facilities**

224.60-100 Underground storage tanks and regulated substances defined.

As used in KRS 224.60-105:

- (1) "Underground storage tank" means any one (1) or combination of tanks (including underground pipes connected thereto) used to contain an accumulation of regulated substances, and the volume of which (including the volume of the underground pipes connected thereto) is ten percent (10%) or more beneath the surface of the ground. Such term does not include any:
 - (a) Farm or residential tank of one thousand one hundred (1,100) gallons or less capacity used for storing motor fuel for noncommercial purposes;
 - (b) Tank used for storing heating oil for consumptive use on the premises where stored;
 - (c) Septic tank;
 - (d) Pipeline facility (including gathering lines) regulated under the Natural Gas Pipeline Safety Act of 1968, (49 U.S.C. App. 1671, et seq.), the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2001, et seq.), or which is an intrastate pipeline facility regulated under state laws comparable to the provisions of the Natural Gas Pipeline Safety Act of 1968 or the Hazardous Liquid Pipeline Safety Act of 1979;
 - (e) Surface impoundment pit, pond, or lagoon;
 - (f) Storm water or waste water collection system;
 - (g) Flow-through process tank;

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL
PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
14 REILLY ROAD
FRANKFORT, KENTUCKY 40601
TELEPHONE NUMBER (502)564-6716

WASTE TIRE FACILITY REGISTRATION FORM
DEP Form 7101A

KRS 224.50 requires that no person shall accumulate more than twenty-five (25) waste tires at a time for processing, transport more than fifty (50) waste tires at a time, or accumulate more than one hundred (100) waste tires at a time without first registering and receiving a letter of approval from the cabinet.

This form is to be used to register waste tire accumulators, transporters, and processors in accordance with KRS 224.50. To register such a facility, the original and one (1) copy of this completed registration form (please type or print) should be submitted to the Solid Waste Branch in the Division of Waste Management at the address listed above. If you are submitting a modification to an existing registration, please indicate this on the registration form and attach a cover letter explaining the modification. Questions regarding this form may be directed to the Solid Waste Branch as listed above.

Registrants are expected to understand and comply with KRS 224.50, as it applies to the management and disposal of waste tires. To obtain a copy of these statutes, contact the Division of Waste Management's Program Planning and Administration Branch at (502) 564-6716.

Section I

Facility Information

1. Facility Type: ☐ Waste Tire Accumulator ☐ Waste Tire Processor ☐ Waste Tire Transporter
2. ☐ New Registration ☐ Modification of existing registration (Registration # _____)
- Reason for modification _____
3. Official name of legal entity that owns and operates the facility (corporation, city, fiscal court, etc.):

4. Facility Owner Mailing Address _____
5. City _____ 6. State _____ 7. ZIP _____
8. County _____
9. Facility Owner Contact Person _____ 10. Title _____
11. Owner Contact Phone Number (_____) _____ 12. Fax Number _____
13. Facility Name _____
14. Facility Location (street or physical location, no P.O. Boxes) _____

15. City _____ 16. ZIP _____ 17. County _____
18. Facility Contact Person _____ 19. Title _____
20. Facility Phone Number (_____) _____
21. Latitude 3 " " " " 22. Longitude 8 " " " "
23. Describe the activities of the operation as they relate to waste tires. Provide enough detail to demonstrate compliance with the requirements of KRS 224.50 as they relate to waste tires. Provide this description as Attachment I. ☐ Submitted
24. List the total number of mobile waste tire containers (trailers, roll-offs, etc.) being registered, if applicable: _____
25. What is the anticipated date when the facility will begin operating? _____
26. What is the anticipated, average number of passenger tire equivalents (PTEs) to be accepted on a daily and annual basis?
Daily _____ Annual _____
27. What is the anticipated, average number of PTEs to be processed on a daily and annual basis?
Daily _____ Annual _____ Not Applicable

28. Including all storage areas and mobile waste tire containers, what is the maximum number of PTEs to be accumulated at this facility at any given time? (This is the amount on which financial assurance will be based.)

Total capacity of all storage areas _____
 Total capacity of all mobile waste tire containers + _____
 Maximum number of PTEs = _____

29. List the destination of the waste tires (for example, landfill; end user; processor; accumulator).

Name of Facility	Permit or Registration Number	State
_____	_____	_____
_____	_____	_____
_____	_____	_____

(NOTE: If waste tires are taken to a landfill, the landfill will require identification of the sources (counties or state of origin) of the waste tires to make sure that the landfill is permitted to accept waste from those sources. If the landfill has not been approved to accept waste from the sources where the waste tires originated, the landfill will not accept those tires.)

30. Provide a description of how mosquitoes and water entrapment will be prevented in the waste tires:

(If more space is needed use a separate page and label as Attachment 2. ☐ Submitted ☐ Not applicable)

31. If waste tires are to be incinerated or used as a fuel, provide evidence of the local determination in accordance with KRS 224.40-315 (1). Please label this evidence as Attachment 3.

☐ Submitted ☐ Not applicable

32. Submit a current site plan drawing showing all buildings, roads, property boundaries, streams, ponds, fences, tire storage areas, etc. Label as Attachment 4. ☐ Submitted

33. Submit a U.S.G.S. 7.5 minute topographic map showing the location of the facility and the property boundaries. Please label as Attachment 5. ☐ Submitted

"I certify, under penalty of law, that I have read and understood the requirements of the waste tire program and will comply with these requirements. I also certify that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for knowingly submitting false information, including fines and imprisonment for such violations."

Name of Registrant's Responsible Official (print) _____

Title _____

Signature and Date _____

Subscribed and sworn to before me by _____

this the _____ day of _____, 19 _____

Notary Public signature _____

State of _____ County of _____

My commission expires _____

Notary Public's name and address _____

Any person who knowingly provides false information in any document filed or required to be maintained under KRS Chapter 224 shall be guilty of a Class D felony and upon conviction thereof shall be punished by a fine not to exceed twenty-five thousand dollars (\$25,000), by imprisonment for a term of not less than one year and not more than five years, or both by fine and imprisonment.

Section II Registrant Disclosure Statement

The registrant is required to submit the following information to the Cabinet before the registration may be accepted. This disclosure is also required prior to a change in key personnel of the registrant. The registrant is the corporation, business, individual, or government agency that owns the facility.

1. Registrant's complete name _____
2. Social Security Number/State of Incorporation or Registration _____
3. Mailing Address _____
4. City _____ 5. State _____ 6. ZIP _____

7. Provide the names of all key personnel as defined by KRS 224.01-010 and their titles or positions. A Key Personnel Disclosure Statement (Section III) must be submitted for each individual listed below. Sole proprietors and government agencies are not required to submit key personnel disclosure statements.

Key Person

Title/Position

If more space is needed, use a separate page and label as *Attachment 6*. ☐ Submitted ☐ Not applicable

8. Submit a signed letter describing in detail the registrant's experience in managing solid waste (including waste tires). Label as *Attachment 7*. ☐ Submitted

9. Submit a list of all permits, registrations, or licenses relating to solid waste management presently held by the registrant. Provide the facility name, permit number, location, and issuing authority or agency. Label as *Attachment 8*. ☐ Submitted ☐ Not applicable

10. Submit a list of all permits, registrations, or licenses relating to solid waste management held by the registrant within the last five years. Provide the facility name, permit number, location, and issuing authority or agency. Label as *Attachment 9*. ☐ Submitted ☐ Not applicable

11. Submit a signed letter describing in detail the registrant's experience in managing hazardous waste.

Label as *Attachment 10*. ☐ Submitted ☐ Not applicable

12. Submit a list of all permits or licenses relating to hazardous waste management presently held by the registrant. Provide the facility name, permit number, location, and issuing authority or agency. Label as *Attachment 11*. ☐ Submitted ☐ Not applicable

13. Submit a list of all permits or licenses relating to hazardous waste management held by the registrant within the last five years. Provide the facility name, permit number, location, and issuing authority or agency. Label as *Attachment 12*. ☐ Submitted ☐ Not applicable

14. Submit a list of the names, addresses, type of interest, and nature of interest of all waste sites, waste facilities, and solid waste management facilities in which the registrant has a financial interest, an equitable interest, or in which the registrant is an officer, director or manager, and identify the nature of the registrant's interest or involvement. Label as *Attachment 13*. ☐ Submitted ☐ Not applicable

15. Have any civil or administrative complaints been brought or filed against the registrant for the violation of any state or federal environmental protection law which resulted in a fine or penalty greater than one thousand dollars (\$1,000) within the five year period immediately preceding the submission date of this registration? ☐ Yes ☐ No

If yes, submit a signed letter describing each civil or administrative complaint which resulted in the fine or penalty. Include in the description the style of the complaint; the case, file, or other identifying number; the identity of all parties named in the complaint; the forum in which the complaint was filed; the identity of each state or federal agency involved with or named in the complaint; the amount of the fine(s) or penalty(s); whether the fine or penalty has been paid; the identity and description of each law or regulation violated or alleged to have been violated and upon which the fine(s) or penalty(s) is/are based; and state whether the fine was the result of settlement or agreed order, an administrative order, or a court judgement. If litigation is ongoing, describe any orders or judgements entered and describe the current status of the litigation. Label as *Attachment 14*. ☐ Submitted ☐ Not applicable

16. Have any civil or administrative complaints been brought or filed against the registrant which allege that an act or omission that constitutes a violation of a state or federal environmental protection law or regulation presented a substantial endangerment to public health or to the environment? ☐ Yes ☐ No

If yes, submit a signed letter describing each civil complaint and each administrative complaint containing the allegation of the act or omission presenting a substantial endangerment to public health or the environment. Each description shall include at a minimum the following: the style of the complaint; the case, file, or other identifying number; the identity of each state or federal agency involved with or named in the complaint; the amount of the fine(s) or penalty(s); whether the fine or penalty has been paid; the identity and description of each law or regulation violated or alleged to have been violated and upon which the fine(s) or penalty(s) is/are based; and state whether the fine was the result of settlement or agreed order, an administrative order, or a court judgement. If litigation is ongoing, describe any orders or judgements entered and describe the current status of the litigation. Label as *Attachment 15*. ☐ Submitted ☐ Not applicable

file, or other identifying number; the identities of each party to the complaint; the forum in which the complaint was brought; the identity of each state or federal agency involved with or named in the complaint; an explanation of the alleged act or omission; the identity and a description of the environmental protection law or regulation alleged to have been violated; an explanation of all corrective action measures performed to correct or mitigate the alleged violation(s); a description of the alleged endangerment to public health or to the environment; and state whether the issues raised in the complaint have been resolved, and if so, whether the resolution was the result of settlement or agreed order, an administrative order, or a court judgement. If litigation on the allegation(s) is ongoing, describe any orders or judgements entered and describe the present status of the litigation. Label as *Attachment 15*. ☐ Submitted ☐ Not applicable

17. At this time, are there any pending criminal complaints which allege the registrant's violation of a state or federal environmental protection law or regulation?

☐ Yes ☐ No

If yes, submit a signed letter describing at a minimum the style of the case and the identifying case number, the date the complaint was filed, the forum in which the complaint is pending, the identity of the law or regulation allegedly violated and a narrative description of the law or regulation, whether the alleged violation(s) is a misdemeanor or a felony, and all actions and pleadings that have occurred or have been filed in association with the complaint. Criminal complaints filed more than five years prior to the date of submission of this registration need not be listed. Label as *Attachment 16*. ☐ Submitted ☐ Not applicable

18. Have there been any judgements of criminal conviction entered against the registrant for the violation of any state or federal environmental protection law or regulation within the five years preceding the date of submission of this registration?

☐ Yes ☐ No

If yes, submit a signed letter describing all judgements of criminal conviction entered in detail which includes at a minimum the following: style; case number; forum in which the complaint was entered; date of judgement; sentence imposed; the identity and a description of each law the registrant was convicted of violating; whether the conviction was the result of a plea agreement or a trial; and, if on appeal, the status of the appeal. Label as *Attachment 17*. ☐ Submitted ☐ Not applicable

19. Have there been any judgements of criminal conviction of a felony under the laws of any state or of the United States that have been entered against the registrant within the five years preceding the date of submission of this registration?

☐ Yes ☐ No

If yes, submit a signed letter describing all judgements of criminal conviction entered in detail which includes at a minimum the following: style; case number; forum in which the complaint was entered; date of

judgement; sentence imposed; the identity and a description of each law the registrant was convicted of violating; whether the conviction was the result of a plea agreement or trial; and, if on appeal, the status of the appeal. Label as *Attachment 18*. ☐ Submitted ☐ Not applicable

20. An individual, by executing this document on behalf of a corporation or other entity, certifies that she or he is duly authorized to act on behalf of the corporation or other entity and provide the information contained herein. All signatures on the original registration must be in indelible ink, photocopies will not be accepted.

"I certify, under penalty of law, that this document and all were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for knowingly submitting false information, including fines and imprisonment for such violations."

Name of Registrant's Responsible Official (print) _____

Title _____

Signature and Date _____

Subscribed and sworn to before me by _____

this the _____ day of _____, 19 _____

Notary Public signature _____

State of _____ County of _____

My commission expires _____

Notary Public's name and address - _____

Any person who knowingly provides false information in any document filed or required to be maintained under KRS Chapter 224 shall be guilty of a Class D felony and upon conviction thereof shall be punished by a fine not to exceed twenty-five thousand dollars (\$25,000), by imprisonment for a term of not less than one year and not more than five years, or both by fine and imprisonment.

Section III

Key Personnel Disclosure Statement

Before completing, make blank copies of this section for each individual listed as a key personnel in Section II, Number 7. Each individual who is a key personnel of the registrant is required to submit the following information to the Cabinet before the registration can be accepted. This disclosure is also required prior to a change in key personnel of the registrant. Sole proprietorships and government agencies are exempt from submitting key personnel disclosure statements.

1. Key Person (print) _____

2. Mailing Address _____

3. Phone Number(_____) _____ 4. Fax Number _____

5. City _____ 6. State _____ 7. ZIP _____

8. What is the relationship between the registrant and key person? Reference KRS 224.010-10.

☐ Partner ☐ Shareholder ☐ Corporate Official

9. Describe the relationship (partner, vice president, etc...) _____

10. Submit a signed letter describing in detail the key person's experience in managing solid waste (including waste tires). Label as *Attachment 19*. ☐ Submitted ☐ Not applicable

11. Submit a list of all permits, registrations, or licenses relating to solid waste management presently held by the key person. Provide the facility name, permit number, location, and issuing authority or agency. Label as *Attachment 20*. ☐ Submitted ☐ Not applicable

12. Submit a list of all permits, registrations, or licenses relating to solid waste management held by the key person within the last five years. Provide the facility name, permit number, location, and issuing authority or agency. Label as *Attachment 21*. ☐ Submitted ☐ Not applicable

13. Submit a list of all permits or licenses relating to hazardous waste management presently held by the key person. Provide the facility name, permit number, location, and issuing authority or agency. Label as *Attachment 22*. ☐ Submitted ☐ Not applicable

14. Submit a list of all permits or licenses relating to hazardous waste management held by the key person within the last five years. Provide the facility name, permit number, location, and issuing authority or agency. Label as *Attachment 23*. ☐ Submitted ☐ Not applicable

15. Have any civil or administrative complaints been brought or filed against the key person for the violation of any state or federal environmental protection law which resulted in a fine or penalty greater than one thousand dollars (\$1,000) within the five year period immediately preceding the submission date of this registration?

☐ Yes ☐ No

If yes, submit a signed letter describing each civil or administrative complaint which resulted in the fine or penalty. Include in the description the style of the complaint; the case, file, or other identifying number; the identity of all parties named in the complaint; the forum in which the complaint was filed; the identity of each state or federal agency involved with or named in the complaint; the amount of the fine(s) or penalty(s); whether the fine or penalty has been paid; the identity and description of each law or regulation violated or alleged to have been violated and upon which the fine(s) or penalty(s) is/are based; and state whether the fine was the result of settlement or agreed order, an administrative order, or a court judgement. If litigation is ongoing, describe any orders or judgements entered and describe the current status of the litigation. Label as *Attachment 24*. ☐ Submitted ☐ Not applicable

16. Have any civil or administrative complaints been brought or filed against the key person which allege that an act or omission that constitutes a violation of a state or federal environmental protection law or regulation presented a substantial endangerment to public health or to the environment?

☐ Yes ☐ No

If yes, submit a signed letter describing each civil complaint and each administrative complaint containing the allegation of the act or omission presenting a substantial endangerment to public health or the environment. Each description shall include at a minimum the following: the style of the complaint; the case, file, or other identifying number; the identities of each party to the complaint; the forum in which the complaint was brought; the identity of each state or federal agency involved with or named in the complaint; an explanation of the alleged act or omission; the identity and a description of the environmental protection law or regulation alleged to have been violated; an explanation of all corrective action measures performed to correct or mitigate the alleged violation(s); a description of the alleged endangerment to public health or to the environment; and state whether the issues raised in the complaint have been resolved, and if so, whether the resolution was the result of settlement or agreed order, an administrative order, or a court judgement. If litigation on the allegation(s) is ongoing, describe any orders or judgements entered and describe the present status of the litigation. Label as *Attachment 25*. ☐ Submitted ☐ Not applicable

17. At this time, are there any pending criminal complaints which allege the key person's violation of a state or federal environmental protection law or regulation?

☐ Yes ☐ No

If yes, submit a signed letter describing at a minimum the style of the case and the identifying case

number, the date the complaint was filed, the forum in which the complaint is pending, the identity of the law or regulation allegedly violated and a narrative description of the law or regulation, whether the alleged violation(s) is a misdemeanor or a felony, and all actions and pleadings which have occurred or have been filed in association with the complaint. Criminal complaints filed more than five years prior to the date of submission of this registration need not be listed. Label as *Attachment 26*. ☐ Submitted ☐ Not applicable

18. Have there been any judgements of criminal conviction entered against the key person for the violation of any state or federal environmental protection law or regulation within the five years preceding the date of submission of this registration?

☐ Yes ☐ No

If yes, submit a signed letter describing all judgements of criminal conviction entered in detail which includes at a minimum the following: style; case number; forum in which the complaint was entered; date of judgement; sentence imposed; the identity and a description of each law the registrant was convicted of violating; whether the conviction was the result of a plea agreement or trial; and, if on appeal, the status of the appeal. Label as *Attachment 27*. ☐ Submitted ☐ Not applicable

19. Have there been any judgements of criminal conviction of a felony under the laws of any state or of the United States that have been entered against the key person within the five years preceding the date of submission of this registration?

☐ Yes ☐ No

If yes, submit a signed letter describing all judgements of criminal conviction entered in detail which includes at a minimum the following: style; case number; forum in which the complaint was entered; date of judgement; sentence imposed; the identity and a description of each law the registrant was convicted of violating; whether the conviction was the result of a plea agreement or trial; and, if on appeal, the status of the appeal. Label as *Attachment 28*. ☐ Submitted ☐ Not applicable

20. Submit a list of the names, addresses, type of interest, and nature of interest of all waste sites, waste facilities, and solid waste management facilities in which the key person has a financial interest, an equitable interest, or in which the registrant is an officer, director or manager, and identify the nature of the registrant's interest or involvement. Label as *Attachment 29*. ☐ Submitted ☐ Not applicable

21. An individual, by executing this document on behalf of a corporation or other entity, certifies that she or he is duly authorized to act on behalf of the corporation or other entity and provide the information contained herein. All signatures on the original registration must be in indelible ink, photocopied signatures will not be accepted.

"I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for knowingly submitting false information, including fines and imprisonment for such violations."

Name of key person (print) _____

Title _____

Signature and Date _____

Subscribed and sworn to before me by _____

this the _____ day of _____, 19____

Notary Public signature _____

State of _____ County of _____

My commission expires _____

Notary Public's name and address _____

Any person who knowingly provides false information in any document filed or required to be maintained under KRS Chapter 224 shall be guilty of a Class D felony and upon conviction thereof shall be punished by a fine not to exceed twenty-five thousand dollars (\$25,000), by imprisonment for a term of not less than one year and not more than five years, or both by fine and imprisonment.

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL
PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
14 REILLY ROAD
FRANKFORT, KY 40601

CERTIFICATE OF INSURANCE
FOR
WASTE TIRE REGISTRANTS

Name and address of insurer (herein called the "insurer"):

Name and address of the insured (herein called the "insured"):

Registration covered: (Include facility name and address)

Registration no. _____

County _____

Face Amount of financial assurance: \$ _____

Policy Number: _____

Effective date: _____

The insurer hereby certifies that it has issued to the insured the policy of insurance to provide financial assurance for "closure" as indicated for the facility identified above. The insurer further warrants that such policy conforms in all respects with the requirements set forth below and with KRS 224, Subchapter 50, as such statutes and forms are constituted on the date shown below. It is agreed that any provision of the policy inconsistent with such regulations is hereby amended to

eliminate such inconsistency.

Whenever requested by the Natural Resources and Environmental Protection Cabinet, the insurer agrees to furnish to the Cabinet a duplicate original of the policy listed above, including all endorsements thereon.

Requirements for Insurance policies for Waste Tire Registrants under KRS Chapter 224, Subchapter 50, and DEP Form 7101I (6-98).

- (1) The owner of a waste tire registration may provide an insurance policy to demonstrate the financial assurance for closure and corrective action, (if required) at the site. The owner (insured) shall submit a copy of the insurance policy, an executed copy of DEP Form 7101I and a Performance Bond on DEP Form 7101D in accordance with KRS 224, Subchapter 50, to the Cabinet for approval prior to this method of financial assurance being accepted.
- (2) The insurer expressly acknowledges that an owner's liability for closure and corrective action under waste tire registration is set forth in KRS 224, Subchapter 50, and the Performance Bond on DEP Form 7101D and that an owner will not be released from closure obligations if further corrective action is needed at the facility.
- (3) The insurance policy shall be issued for a face amount at least equal to the current financial assurance amount required under KRS 224, Subchapter 50. The term "face value" refers to the total amount the insurer is obligated to pay under the policy. The insurance policy shall guarantee that the "face amount" will be available to close the waste tire facility when closure and any necessary corrective action occurs.
- (4) An insurance policy shall contain a provision allowing assignment of the policy to a successor owner (insured). This assignment may be conditional upon consent of the insurer, provided the consent is not unreasonably refused.
- (5) The insurance policy shall provide that the insurer may not cancel, terminate or fail to renew the policy except for failure to pay the premium. The automatic renewal of the policy shall, at a minimum, provide the insured with the option of renewal at the face amount of the expiring policy. If there is a failure to pay the premium, the insurer may cancel the policy by sending notice of the cancellation by certified mail to the owner (insured) and to the Cabinet 120 days or more in advance of the cancellation. Cancellation, termination, or failure to renew shall not occur, and the policy shall remain in force, if on or before the date of expiration:
 - (a) Closure is ordered by the Cabinet or a court of competent jurisdiction;
 - (b) The permittee is named as debtor in a voluntary or involuntary bankruptcy proceeding

under Title 11 U.S. Code; or

(c) The premium is paid.

(6) If the insurer cancels the policy, the owner of the waste tire facility shall obtain by the effective date of the cancellation, alternate financial assurance as specified in KRS Chapter 224, Subchapter 50.

(7) The owner (insured) may cancel the insurance policy only if alternate financial insurance is substituted and approved by the Cabinet, as specified in KRS Chapter 224, Subchapter 50, or if the owner (insured) is no longer required to demonstrate financial assurance in accordance with KRS Chapter 224, Subchapter 50.

(8) The insurer shall be licensed to transact the business of insurance, or eligible to provide insurance as an excess or surplus lines insurer, in one (1) or more states of the United States of America.

I hereby certify that the wording of this certificate is identical to the working specified on DEP Form 7101I (6-98).

[Authorized signature for insurer]

[Name of person signing]

[Title of person signing]

Signature of witness or notary

[Date]

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL
PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
14 REILLY ROAD
FRANKFORT, KY 40601

IRREVOCABLE LETTER OF CREDIT
FOR
WASTE TIRE REGISTRANTS

(financial institution)

(Address)

COMMONWEALTH OF KENTUCKY
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division of Waste Management
14 Reilly Road
Frankfort, Kentucky 40601

Date: _____

Expiration Date: _____

IRREVOCABLE LETTER OF CREDIT NO: _____

Director, Division of Waste Management:

We hereby open our irrevocable letter of credit in your favor for the account of _____
_____ for a sum or sums not exceeding a total
(Registrant's Name and Registration Number)

of _____ dollars (\$_____) available by your draft(s) on us at sight when accompanied by a Natural Resources and Environmental Protection Cabinet Order of Forfeiture.

It is a condition of this Letter of Credit that it will be automatically extended for additional periods of up to one (1) year from the then relevant expiry date unless thirty (30) days prior to that relevant expiry date, we notify you that we elect not to extend this Letter of Credit whereupon you may elect either to obtain cash collateral by drawing your on-sight draft on us for an amount not to exceed the unused balance of this Letter of Credit, or to let the Letter of Credit expire. For the purposes of this credit, our notice not to extend shall mean:

1. That we send our notification to you at the above-listed address by registered mail (return receipt requested) dated not less than thirty (30) days prior to expiration; and

2. That, in the event, prior to fifteen (15) days before the then relevant expiry date, we have not received either your draft or your written notice that you do not intend to draw from your draft on us, we will hand deliver our notification to obtain a receipt from: Director, Division of Waste Management, Natural Resources and Environmental Protection Cabinet, or that official's designated representative, not less than five (5) days prior to the then relevant expiry date. In the event we shall have failed to notify you as described above, this Letter of Credit shall be automatically extended for a period of one (1) year; and

3. That, in the event you draw your draft upon us in response to our notice not to extend, such draft need not be accompanied by an Order of Forfeiture.

Drafts must be negotiated not later than _____. All drafts drawn under this credit shall state that they are "drawn under _____, dated _____, associated with registration number _____.

This Letter of Credit is subject to the Uniform Commercial Code of the Commonwealth of Kentucky. Jurisdiction for any litigation concerning this Letter of Credit shall be in Franklin Circuit Court, Commonwealth of Kentucky.

In the event we become unable to fulfill our obligations under the Letter of Credit for any reason, notice shall be given within five (5) days to the Registrant and Director, Division of Waste Management, at the address indicated in this Letter of Credit.

We hereby agree with the drawers, endorsers and bona fide holders of drafts drawn under and in compliance with the terms of this credit that such drafts will be duly honored on due presentation to the drawee.

BY: _____

Title: _____

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL
PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
14 REILLY ROAD
FRANKFORT, KY 40601

PERFORMANCE BOND
FOR
WASTE TIRE REGISTRANTS
(Transporters)

Registration Number: _____

Registrants Name: _____

Registrants Address: _____

Owners Name: _____

Owner Address: _____

Type of Financial Assurance:

_____ Cash Bond

_____ Surety Bond (# _____)

_____ Irrevocable Letter of Credit (# _____)

_____ Trust Fund Agreement (# _____)

_____ Certificate of Insurance (# _____)

_____ Corporate Guarantee (# _____)

KNOW ALL PERSONS BY THESE PRESENTS, that the undersigned, _____
_____, as Principal (Registrant), is held and firmly bound unto the Natural
Resources and Environmental Protection Cabinet in the penal sum of _____ dollars (\$
_____) which sum is herewith deposited by the submission of the financial assurance
mechanism(s) identified above. The Principal posts this/these financial assurance mechanism(s) by
and through its agent(s) as a guarantee that the provisions of the registration issued pursuant to
Registration Number _____, all applicable laws, rules, and regulations will be observed
and hereby bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and
severally, firmly by these presents. This bond is effective upon receipt by the Division of Waste
Management (hereinafter Division).

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that, whereas, the above
bound Principal, pursuant to the provisions of KRS Chapter 224 and the regulations promulgated
pursuant thereto did file with the Division, a registration to operate as a waste tire transporter in the
Commonwealth of Kentucky; that in said application the Principal identified that he or she would be
transporting waste tires in Kentucky under registration number _____;
and whereas in accordance with KRS Chapter 244 and the regulation promulgated pursuant thereto,
he or she shall comply with these laws in transporting waste tires and shall remain bonded until the
Principal has completed the terms of his or her registration, and the Cabinet has certifies the same.
Furthermore, it is understood that the obligation under this bond extends to any environmental
degradation occurring from the transport of the waste tires.

Now, if said _____, as Principal, shall faithfully perform all the requirements of the above designated and the applicable laws, rules, and regulations, and the terms of this bond, then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Natural Resources and Environmental Protection Cabinet, upon receipt of an Order of Forfeiture from the Cabinet.

PRINCIPAL: _____ BY: _____

OFFICIAL POSITION: _____ DATE: _____

Subscribed and sworn to before me by _____

this the _____ day of _____, _____

Notary Public, State-at-Large

My commission expires the _____ day of _____, _____

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL
PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE
14 REILLY ROAD
FRANKFORT, KY 40601

SURETY BOND
FOR
WASTE TIRE REGISTRANTS

Registration Number: _____

Facility Name: _____

Facility Address: _____

Owners Name: _____

Owners Address: _____

KNOW ALL PERSONS BY THESE PRESENTS, that the undersigned _____
_____, as Surety for the Principal (Registrant) , _____
_____, is held and firmly bound unto the Natural Resources and Environmental Protection Cabinet in the
penal sum of _____ dollars (\$_____) by the submission of this surety bond.
The penal sum is to assure the proper closure and corrective action (if required) in accordance with
the registration issued to _____ under registration
number _____, and all applicable laws, rules, and regulations. Furthermore, it is
understood that the obligation under this surety bond extends to any environmental degradation
occurring from operation under the waste tire registration.

If the Principal faithfully performs all the requirements of the above designated application, the registration issued pursuant thereto, the applicable laws, rules, and regulations, and the terms of the attached performance bond*, then this obligation shall be released; otherwise, it is agreed that the undersigned, _____, as Surety, shall pay said penal sum to the Commonwealth of Kentucky, Natural Resources and Environmental Protection Cabinet, upon receipt of an Order of Forfeiture from the Cabinet.

Surety: _____

Surety Address: _____

Local Agency Issuing Bond: _____

Local Agency Address: _____

By: _____

Official Position: _____

Signature: _____ Date: _____

Subscribed and sworn to before me by _____ this the _____
day of _____, _____.

Notary Public, State-at-Large

My commission expires the _____ day of _____, _____

NOTE: The person who signs for a surety company shall file with the bond a copy of the Power of Attorney showing authority to sign. All bonds executed by an out-of-state bonding agent shall be countersigned by a resident Kentucky agent.

COUNTERSIGNED BY: _____

AGENT FOR: _____

ADDRESS: _____

*A copy of the corresponding performance bond must be attached to this form

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL
PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
14 REILLY ROAD
FRANKFORT, KY 40601

PERFORMANCE BOND
FOR
WASTE TIRE REGISTRANTS
(Processors and Accumulators)

Registration Number: _____

Facility Name: _____

Facility Address: _____

Facility Owner: _____

Owner Address: _____

Type of Financial Assurance:

_____ Cash Bond

_____ Surety Bond (# _____)

_____ Irrevocable Letter of Credit (# _____)

_____ Trust Fund Agreement (# _____)

_____ Certificate of Insurance (# _____)

_____ Corporate Guarantee (# _____)

KNOW ALL PERSONS BY THESE PRESENTS, that the undersigned, _____
_____, as Principal (Registrant), is held and firmly bound unto the Natural
Resources and Environmental Protection Cabinet in the penal sum of _____ dollars
(\$_____) which sum is herewith deposited by the submission of the financial assurance
mechanism(s) identified above. The Principal posts this/these financial assurance mechanism(s) by
and through its agent(s) as a guarantee that the provisions of the registration issued pursuant to
Registration Number _____, all applicable laws, rules, and regulations will be
observed and hereby bind ourselves, our heirs, executors, administrators, successors and assigns,
jointly and severally, firmly by these presents. This bond is effective upon receipt by the Division
of Waste Management (hereinafter Division).

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that, whereas, the above
bound Principal, pursuant to the provisions of KRS Chapter 224 and the regulations promulgated
pursuant thereto did file with the Division, a registration to operate as a waste tire processor or
accumulator in the Commonwealth of Kentucky; that in said application the Principal identified
the area to be registered as _____ acres, located in _____ County, at or
near the community of _____; and whereas the above described area will be
affected by the facility during the life of the registration and until the Principal has completed
proper closure and corrective action (if required), and the Cabinet has certified the same.
Furthermore, it is understood that the obligation under this bond extends to any environmental
degradation occurring from the waste tire operation.

Now, if said _____, as Principal, shall faithfully perform all the requirements of the above designated and the applicable laws, rules, and regulations, and the terms of this bond, then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Natural Resources and Environmental Protection Cabinet, upon receipt of an Order of Forfeiture from the Cabinet.

PRINCIPAL: _____ BY: _____

OFFICIAL POSITION: _____ DATE: _____

Subscribed and sworn to before me by _____

this the _____ day of _____, _____

Notary Public, State-at-Large

My commission expires the _____ day of _____, _____